MC/14/0571

Date Received: 26 February, 2014

Location: Part Of Phase 3 And 4 Victory Pier Pier Road Gillingham Kent ME7 1RL

Proposal: Application for approval of reserved matters (appearance, internal layout and landscaping) relating to Phases 3 and 4 of the Victory Pier development pursuant to planning consent MC/13/3131

Applicant: Berkeley First Ltd

Agent: Mr Richard Quelch Barton Willmore LLP 7 Soho Square London W1D 3QB

Ward Gillingham North

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 20 May 2014.

Recommendation - Approval subject to:

A. Referral to the Health and Safety Executive (HSE) as the PHADI + consultation system generated an objection to the proposal on the grounds of existing Hazardous Consents remaining on the site. Following a 'resolution to approve' a 21-day period of consultation with the HSE must take place giving the HSE the option to ask for referral to the Secretary of State on the basis of a continued objection to the proposal.

B. The imposition of the following Conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Received 27 February 2014
1125_PL 001, 002, 003

1125_PL 800 Rev A, 801 Rev A, 802 Rev A, 803 Rev A, 804 Rev A, 805 Rev A, 806

1125_PL 850 Rev B, 851 Rev B, 852 Rev B, 853 Rev B, 854 Rev B, 855 Rev B, 856 Rev B, 857 Rev B, 858 Rev B, 859 Rev B,

1125_PL 900 Rev B, 901 Rev B, 902 Rev A, 903 Rev B, 904 Rev B, 905 Rev B, 906 Rev B, 907 Rev B, 908 Rev B, 909 Rev B, 910 Rev B, 911 Rev B,

912 Rev B, 913 Rev B, 914 Rev B, 915 Rev B, 916 Rev B,

1125_PL 920 Rev B, 921 Rev B, 922 Rev B, 923 Rev B, 924 Rev B, 925 Rev B, 926 Rev B, 927 Rev B, 928 Rev B, 929 Rev B, 930 Rev B

1125_PL 950 Rev B, 951 Rev B, 952 Rev B, 953 Rev B, 954 Rev B, 955 Rev B, 956 Rev B, 957 Rev B, 958 Rev B, 959 Rev B, 960 Rev B

LN00338 L-700, LN00338 L-800
Received 12 March 2014
1125_PL 810 Rev A, 811 Rev A, 812 Rev A,

1125_PL 940 Rev A, 941 Rev A, 942 Rev A, 943 Rev A, 944 Rev A, 945 Rev A,

LN00338 L-200 Rev B,

Received 12 March 2014
LN00344 L-100

Received 25 April 2014
LN00338 L-100 Rev B, LN00344 L-200 Rev A, LN00344 L-700 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.

2 Notwithstanding the approved plans no development above ground floor slab level shall commence on the application site until there has been approved in writing by the Local Planning Authority full details of all hard and soft landscaping and any artefacts to be located within external areas. Hard landscaping works shall include all decking, paving, water feature(s) and external hard surfacing material. Minor artefacts and structures shall include seating; refuse receptacles, planters, tree grilles and any other decorative feature(s). Soft landscape works should include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance), schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate); and implementation programme. Any tree and/or shrub planted being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

Any amendments to these agreed details shall be submitted to and agreed in writing by the Local Planning Authority through the resubmission of a condition discharge application against this condition. The development shall be carried out in accordance with the last details agreed.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1, BNE6, BNE22, BNE37 and BNE38 of the Medway Local Plan 2003.

3 Prior to the first use of the development hereby approved, a Landscape Maintenance Plan in relation to all hard and soft landscaping, minor artefacts and structures, lighting, and public artwork shall be submitted to and approved in writing by the Local Planning Authority. Maintenance of the site shall accord with the agreed Landscape Maintenance Plan.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

4 Other than the street furniture shown on the approved plans no street furniture shall be placed within the 15m buffer zone between the mudflats and the development.

Reason: To prevent people congregating in this area and disturbing birds on the mudflats in accordance with policy BNE38 of the Medway Local Plan 2003.

5 The residential element of the scheme should meet level 3 of the Governments 'Code for Sustainable Homes' and the non-domestic property should be built to achieve BREEAM 'very good' (or any subsequent amendments or equivalent standards).

Reason: To ensure that the development comply with the Government's Code for Sustainable Homes.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

The application seeks approval of reserved matters (appearance, internal layout and landscaping) relating to Phases 3 and 4 of the Victory Pier development pursuant to planning consent MC/13/3131.

A Hybrid application was submitted to seek a revision to the approved masterplan and was given planning permission on 20 June 2013 (MC/12/0758) for: full permission for 71 residential units (Building L1/Phase 2) and outline permission for 390 residential units and commercial floorspace (flexible A1, A2, A3, B1, D1, D2 uses).

As part of the outline application scale, layout and access were fixed with appearance and landscaping left for future consideration.

This application provides details of appearance, landscaping and the internal layout of Buildings A and B, the podium car park and podium garden, the ground floor of Buildings C and D and Building K which form part of phase 3 and part of phase 4 as identified on the revised masterplan application. In addition a narrow strip of car parking to the north of Buildings H and J is proposed which falls within Phase 5 of the revised masterplan.

The remaining elements of Phase 3 and 4, which are not subject of this reserved matters application, namely the upper floors of Buildings C and D, the “central green” and the play space adjacent to Building K, will be the subject of separate reserved matters applications to be submitted at a later date.

Building A (77 units) is proposed to be the highest element of the development at 16 storeys in height with building B (64 units) slightly lower at 13 storeys. Each building is proposed with an elevation of white insulated render with inset panels of timber effect Trespa cladding. The buildings are proposed with a solid plinth of argent blockwork ranging in height from one to two storeys. Large glazed openings direct views towards the new landscaping or out across the waterfront. The buildings are capped with large expanses of glass on the upper 3 storeys to provide panoramic views for the upper most apartments.

The entrance to building A is proposed from the new residential street running along the west of the site with the Wi-Fi lounge offering views out to the waterfront and Gillingham Pier.

The entrance of building B is proposed facing south, to act as a focal point for the central park and termination of the proposed water feature. Large expanses of glass are proposed to the north and south to allow views towards the park and the waterfront

Building K (47 units) will be 6 storeys in height and will follow the design principles already established in previous phases of the masterplan, especially the adjacent Block L1. The building is proposed to have a predominant elevation of buff brick with a secondary material of dark grey Trespa cladding. The building will have a solid plinth of argent blockwork with large glazed openings defining the entrance foyer and lounge and serving the ground floor crèche.

The entrance foyer and lounge are situated on the southern elevation to engage with the existing street scene. The remainder of the ground floor of Block K will be used as a crèche, with private spill out play area and a public playground beyond.

Site Area/Density

Site Area: 4.09 hectares (10.10 acres)
Site Density: 45.9 dph (18.61 dpa)

Relevant Planning History

MC/14/0657	Application for approval of reserved matters (landscaping) relating to Phases 1 and 4 of the Victory Pier development pursuant to planning consent MC/13/3131 Current Application
MC/13/3131	Variation of condition 1 (list of drawings) on planning permission MC/12/0758 to allow for minor material

	amendments of: a minor change to the footprint of the building; minor change to the reception area; changes to the unit mix (affecting 3 ground floor units); changes to windows and doors and additional roof terrace (at western end of building) onto the roof of the bike store Approval With Conditions 27 January, 2014
MC/13/2610	Variation of condition 36 of planning permission MC/12/0758 (Hybrid application consisting of full planning permission (building L1) for construction of 71 residential units and outline planning permission for access, scale and layout (buildings A & B, C & D, H & J, K & P) for up to 390 residential units (total of up to 461 residential units) and commercial floorspace (A1/A2/A3/B1/D1/D2 uses) with a maximum height of ground floor plus 15 storeys together with car and cycle parking, hard and soft landscaping, refuse and recycling storage and other associated works) related to parking and security measures to Block L1 Approval With Conditions 26 November, 2013
MC/12/0758	Hybrid application consisting of full planning permission (building L1) for construction of 71 residential units and outline planning permission for access, scale and layout (buildings A & B, C & D, H & J, K & P) for up to 390 residential units (total of up to 461 residential units) and commercial floorspace (A1/A2/A3/B1/D1/D2 uses) with a maximum height of ground floor plus 15 storeys together with car and cycle parking, hard and soft landscaping, refuse and recycling storage and other associated works Approval With Conditions 20 June, 2013
MC/13/0687	Construction of a temporary residents' car park and associated access road and landscaping during the construction of building L1 Approval With Conditions 10 June, 2013
MC/11/2867	Variation of Condition 18 of planning permission MC/11/0768 (Development to provide 54 apartments to accommodate 496 student study bedrooms with ancillary accommodation landscaping and parking) to allow for minor amendments to increase the number of student apartments to 502 and construction of a proposed plant room on roof of Block N Approved 18 January 2012

MC/11/2848	Development to provide 87 apartments, ancillary access, landscaping, car and cycle parking, waste and recycling facilities (Block E) Approved 16 May 2012
MC2009/0698	Approval of reserved matters (external appearance, design and landscaping) of planning permission MC2004/1214 for Block M (part of Phase 1 development under permission MC2006/1283) now to provide 43no. shared ownership flats and 60no. care assisted residential flats with ancillary facilities, landscaping and parking. (Amended total development for Phase 1 is 3 54 residential units, 4 live/work units, 709 square metres A3 (Restaurant) use, 165 square metres A1(Retail) use, Harbour masters office and public riverside walk with associated landscaping and car parking.) Approved 28 September 2009
MC2009/0679	Variation of Condition 19 of planning permission MC2004/1214 [Outline application for the redevelopment of former industrial works to provide 808 residential units, 11 live/work units, retail use, restaurants, hotel with ancillary pub and restaurant, offices (Class B1a), crèche, harbour masters office , new access arrangements, associated landscaping and car parking (demolition of all buildings) to allow discharge of condition by phases and sub-phases Approved 14 July 2011
MC2008/1614	Construction of a 120 bedroom Hotel with associated car park & external works Approved 19 December 2008
MC2007/1025	Redevelopment of site to provide accommodation for 604 students with ancillary facilities, 1,202 sqm of retail use (Class A1/A3) with coffee shop, including access arrangements, associated landscaping and car parking facilities. Approved 28 August 2007
MC2005/2446	Construction of a river wall Approved 17 February 2006
MC2004/1214	Outline application for the redevelopment of former industrial works to provide 808 residential units, 11 live/work units, retail use, restaurants, hotel with ancillary pub and restaurant, offices (Class B1a), crèche, harbour masters office, 93 bed student accommodation, new access arrangements, associated landscaping and car

parking (demolition of all existing buildings)
Approved 26 May 2006

Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.
The national planning casework unit, The Environment Agency, Kent Wildlife Trust, Medway Fire Safety, Natural England, Kent Police, RSPB, EDF Energy, Southern Gas Networks, Southern Water, Primary Care Trust, Medway (Chatham) Dock Company, Medway Ports Authority, Health and Safety Executive and Chatham Maritime Trust have also been consulted.

No letters have been received from the general public.

NHS have written to advise that they have no comment to make

Port of Sheerness Limited have no objection to the application

Natural England have written with the following comments:
The application is in close proximity to the Medway Estuary and Marshes Site of Special Scientific Interest (SSSI). The SSSI forms part of the Medway Estuary and Marshes Wetland of International Importance under the Ramsar Convention (Ramsar Site) and Special Area of Conservation (SAC). Natural England advises that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Medway Estuary and Marshes has been classified. Therefore not required to undertake an Appropriate Assessment to assess the implication of this proposal ion the sites conservation objectives.

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Medway Estuary and Marshes SSSI has been notified. We therefore advise that this SSSI does not represent a constraint in determining this application.

Should the details of this application change, Natural England draws attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring the LPA to re-consult Natural England.

Natural England have produced standing advice on protected species and have not assessed this application and associated documents for impacts on protected species.

The application may provide opportunities to incorporate features into the design, which are beneficial to wildlife and, enhance the character and local distinctiveness of the surrounding natural and built environment. Natural England advise that consideration be given to securing measures to enhance the biodiversity of the site if planning permission is likely to be granted for this application.

Southern Water have written to advise that they have no objection.

Environment Agency have written with no objection
The **Health and Safety Executive** PHADI+ system shows that the site in a small part falls in the outer zone of the Transco, Gillingham Gas Holder Station Major Hazard Site/Pipeline and the whole site in the inner zone of the Akzo Nobel Chemicals Ltd Major Hazard Site. As such the HSE objects to the proposal on grounds of safety. Currently consultation with HSE is ongoing and they have the option to request that the item be referred to the Secretary of State in relation to their objection.

Kent Police have made the following comments – No objections to make on the principle of the proposal in regard to crime prevention and Crime Prevention Through Environmental Design (CPTED) matters, in accordance with the DCLG Planning Practice Guidance March 2014 (Paras 10 & 11) – Crime Prevention and the Kent Design Initiative (KDI) - Design For Crime Prevention document dated April 2013, however Kent Police would like the following comments and recommendations to be taken into consideration. It is noted that the application (MC/14/0571) is a reserved matters application relating to appearance, internal layout and landscaping for Blocks A, B and K. Having reviewed the Design and Access Statement (D&AS) for the Reserved Matters Proposal for Blocks A, B and K – 27.01.2014 as published on line, no additional comments are made regarding these proposals other than it is encouraged that Berkeley First consider the use of the Association of Chief Police Officers (ACCPO) Secured By Design (SBD) initiative, it was noted that some SBD principles have been incorporated within the D&AS (Page 54). The developer is also encouraged to consider the principles of British Parking Association Park Mark scheme, in regard to the underground, under croft and larger surface car parking areas.

Development Plan Policies

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

Building Heights Policy 2006; The Gillingham Waterfront Development Brief 2004; The Medway Housing Design Standards (interim) 2011 and The Vehicle Parking Standards (interim) 2010.

Planning Appraisal

Background

The wider Victory Pier site is bounded by the Pier Road dual carriageway (A289) to the south and the River Medway to the north. To the east is Gillingham Marina and a car showroom. To the west is Gillingham Pier and the Chatham Docks site.

Historically the wider Victory Pier site was occupied by the Akzo Nobel Chemical Plant. In 2006 Outline Planning Permission was granted for the comprehensive

redevelopment of the site. Since then the chemical plant buildings have been removed and the site remediated. A number of phases of the Victory Pier scheme have also been completed, are in the process of construction or benefit from detailed planning permission including:

Buildings S and T – Student accommodation and commercial floorspace
Building R – Hotel
Building M – Extra Care and shared ownership accommodation
Buildings F and G – private residential and commercial floorspace
Buildings N and L2 – Student accommodation
Building E – Private residential
Building L2 – Private residential

On 20 June 2013 hybrid planning permission (part outline/part full - MC/12/0758) was granted for the revised masterplan in respect of the remainder of the Victory Pier site. The revised masterplan was subsequently subject to the submission and approval of two applications (MC/13/2610 and MC/13/3131) for minor material amendments to the landscaping around Block L1 and a variation to planning condition 36 and minor material amendments to the layout, external appearance and housing mix of Block L1 and a variation of planning condition 1. Both applications resulted in the re-issuing of a new decision notice for the revised masterplan and as such this application is submitted pursuant to planning condition 2 of the application MC/13/3131.

The phases that the revised masterplan relate to are set out below:

Phase 1 – Part of the central green
Phase 2 – Building L1 (benefits from detailed planning permission)
Phase 3 – Building K
Phase 4 – Buildings A and B and C and D and part of the central green
Phase 5 Buildings H and J
Phase 6 – Building P

The revised masterplan approval maintained the total number of dwellings across the wider Victory Pier site at 775 dwellings.

The revised masterplan permission granted approval for the location and layout of Building K, the maximum height of 27.2m (equivalent of ground floor plus 5 storeys) and the provision of an area of play space to the north of the footprint of Building K and to the south of the central green. The appearance, landscaping and internal layout of Phase 3 were reserved for future consideration, however the following were shown indicatively as part of the revised masterplan:

- A nursery facility at ground floor level (371 sqm)
- 24 car parking spaces
- 40 new homes comprising 5 Manhattan flats, 10 x 1-bed, 2 person flats, 5 x 2 bed 3 person flats, 15 x 2 bed 4 person flats and 5 x 3 bed 5 person flats.

The revised masterplan granted approval for the following fixed key features for the relevant elements of Phase 4 associated with access, layout and scale:

- The location and layout of Buildings A and B and C and D, including the podium car park and part of the central green
- Building heights ranging from 11m to 57.2m (equivalent of between the height of the podium car park to ground floor plus 15 storeys)
- The provision of podium garden between Building A and B and C and D

The appearance, landscaping and internal layout of Phase 4 were reserved for future consideration, however the following were shown indicatively as part of the revised masterplan:

- Commercial floorspace at ground floor level (1,265sqm of flexible A1/A2/A3/B1/D1 and D2 uses)
- 217 car parking spaces within the podium car park
- 112 new homes within Buildings A and B with an indicative housing mix of 30 x 1-bed 2 person flats, 21 x 2-bed 3 person flats, 49 x 2-bed 4 person flats and 12 x 3-bed 5 person flats

The hybrid application was referred to the Secretary of State under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009 as the development is a departure from the Development Plan and is outside of a Town Centre and includes buildings of over 5,000sqm floorspace (this includes the retail floor space proposed within the adjoining Chatham Waters development). The Secretary of State did not call the application in. As this is a reserved matters application pursuant to that hybrid application it will not be required to be referred to the Secretary of State.

Main Issues

Principles of Development

The National Planning Policy Framework (NPPF) states there should be a presumption in favour of sustainable development and as such an assessment of the sustainable credentials of the development is appropriate. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. The three dimensions to sustainable development are economic, social and environmental.

The proposed development is a high density, mixed use development, which makes efficient use of previously developed land. It is located in an urban area where people can access services on foot, bicycle or by public transport rather than having to rely on the car. Employment and retail uses are to be provided on site. Accordingly the proposal is considered to satisfy key sustainable objectives of promoting the more efficient use of land, of reducing the need to travel and ensuring good access to services.

The NPPF also requires development to be in accordance with the Development Plan, unless other material planning considerations dictate otherwise. The site is zoned in the Medway Local Plan 2003 for employment uses (B1, B2 and B8) and as such the proposal for a mixed-use development is contrary to Policy ED1 of the

Local Plan.

Following the Local Plan being adopted, the site became vacant and the Gillingham Waterfront Planning Brief was prepared and adopted as a material consideration for the purposes of development management in 2004 to facilitate the regeneration of the site. Following that planning permission was granted for a mixed use development on the site, that met the terms of the Planning Brief. That permission has been implemented, along with other permissions identified in the history section above.

The current application seeks to build upon the permissions granted, while conforming to the Planning Brief and as such is acceptable in principle.

Design

Policies BNE1 and H5 of the Medway Local Plan respectively state that the '*design of new development…respects the scale, appearance and… visual amenity of the surrounding area,'* and that '*high–density development must meet a high standard of both design and quality if it is to make a positive contribution to the appearance of the area'*..

The extant permission is subject to agreed Design Codes and Design Framework which amongst other matters provides a palette of materials and features and landscaping details against which all future applications on the site need to be assessed. All development approved on the Victory Pier site to date has been considered in the light of these approved documents and with regard to a general harmony of design in relation to other buildings on the site.

Buildings A and B are two of the “family” of three taller buildings which face the River Medway and a coherent design approach has been taken to ensure that the external design of Buildings A and B follows the design approach taken for the third riverfront building, Building E. As part of the design of the elevational appearance of these buildings a “fin” element and a “beacon” corner treatment will be used, which was also incorporated into the Building E design.

The materials proposed are white render; grey Trespa paneling with a plinth of argent blockwork with large glazed openings.

The external appearance of Building K also follows the design principles established for previous Victory Pier phase, particularly Building L1. The predominant elevation materials will be buff brick, complimented with the use of dark grey Trespa cladding, again with a plinth of argent blockwork. These materials have been chosen due to the location of the building within the centre of the wider Victory Pier site and further from the riverfront.

In conclusion the proposal will result in the creation of a development of high quality design with the location, scale and detailing of landscaping being integral to the creation of 'a sense of place' and good character to this development area and to the benefit of the wider area. The proposal is considered to be acceptable in terms of design and complies with policies H4, H5 and BNE1 of the local plan and meets the

aspirations of the NPPF.

Residential unit size and unit mix

The revised masterplan grants approval for 461 dwellings within phases 1 to 6 of the Victory Pier site, resulting in a total of 775 new homes across the wider Victory Pier site, including earlier phases. The revised masterplan indicative housing mix proposed 112 new homes for Buildings A and B and 40 new homes for Building K (a total of 152 new homes). This application seeks 141 homes within Buildings A and B and 47 new homes in Building K, a total of 188 new homes.

The applicants have advised that this decision to increase the unit numbers has been informed by the design of the external appearance of the buildings and their internal layouts and also by market demand and their experience of marketing new homes on the earlier phases of the wider Victory Pier site. In addition there are significant costs associated with building phases 3 and 4 in terms of the s106 obligations on the original permission that are linked to Phase 4. These costs include works to Gillingham Pier and the payment of some financial contributions.

The proposed housing mix is set out below:

BLOCK A

No	Size	Type	No.of Beds	No of Baths	Area (sqm)	MHDS Min gross internal floorarea (sqm)
1	2-bed,1-bath	Type 4a	2	1	61	61
2	Manhattan	Type 5	1	1	35	50
3	Manhattan	Type 4	1	1	35	50
4	2-bed,2-bath	Type 16	2	2	65	61
5	2-bed,2-bath	Type 14 (2)	2	2	66	61
6	1-bed	Type 14 (1)	1	1	47	50
7	Manhattan	Type 7	1	1	34	50
8	1-bed	Type 13	1	1	44	50
9	Manhattan	Type 6	1	1	35	50
10	1-bed	Type 10	1	1	44	50
11	2-bed,2-bath	Type 14 (2)	2	2	66	61
12	1-bed	Type 14 (1)	1	1	47	50
13	Manhattan	Type 7	1	1	34	50
14	1-bed	Type 13	1	1	44	50
15	Manhattan	Type 6	1	1	35	50
16	1-bed	Type 10	1	1	44	50
17	2-bed,2-bath	Type 14 (2)	2	2	66	61
18	2-bed,2-bath	Type 15	2	2	68	61
19	Manhattan	Type 5	1	1	35	50
20	Manhattan	Type 4	1	1	35	50
21	2-bed,2-bath	Type 16	2	2	65	61
22	2-bed,2-bath	Type 14 (2)	2	2	66	61
23	2-bed,2-bath	Type 15	2	2	68	61
24	Manhattan	Type 5	1	1	35	61
25	Manhattan	Type 4	1	1	35	50
26	2-bed,2-bath	Type 16	2	2	65	61
27	2-bed,2-bath	Type 14 (2)	2	2	66	61

28	2-bed,2-bath	Type 15	2	2	68	61
29	1-bed	Type 12	1	1	45	50
30	1-bed	Type 11	1	1	44	50
31	1-bed	Type 10	1	1	44	50
32	2-bed,2-bath	Type 14 (2)	2	2	66	61
33	2-bed,2-bath	Type 15	2	2	68	61
34	1-bed	Type 12	1	1	45	50
35	1-bed	Type 11	1	1	44	50
36	1-bed	Type 10	1	1	44	50
37	2-bed,2-bath	Type 14 (2)	2	2	66	61
38	2-bed,2-bath	Type 15	2	2	68	61
39	1-bed	Type 12	1	1	45	50
40	1-bed	Type 11	1	1	44	50
41	1-bed	Type 10	1	1	44	50
42	2-bed,2-bath	Type 14 (2)	2	2	66	61
43	2-bed,2-bath	Type 15	2	2	68	61
44	1-bed	Type 12	1	1	45	50
45	1-bed	Type 11	1	1	44	50
46	1-bed	Type 10	1	1	44	50
47	2-bed,2-bath	Type 14 (2)	2	2	66	61
48	2-bed,2-bath	Type 15	2	2	68	61
49	1-bed	Type 12	1	1	45	50
50	1-bed	Type 11	1	1	44	50
51	1-bed	Type 10	1	1	44	50
52	2-bed,2-bath	Type 14 (2)	2	2	66	61
53	2-bed,2-bath	Type 15	2	2	68	61
54	1-bed	Type 12	1	1	45	50
55	1-bed	Type 11	1	1	44	50
56	1-bed	Type 10	1	1	44	50
57	2-bed,2-bath	Type 14 (2)	2	2	66	61
58	2-bed,2-bath	Type 15	2	2	68	61
59	1-bed	Type 12	1	1	45	50
60	1-bed	Type 11	1	1	44	50
61	1-bed	Type 10	1	1	44	50
62	2-bed,2-bath	Type 14 (2)	2	2	66	61
63	2-bed,2-bath	Type 15	2	2	68	61
64	1-bed	Type 12	1	1	45	50
65	1-bed	Type 11	1	1	44	50
66	1-bed	Type 10	1	1	44	50
67	2-bed,2-bath	Type 14 (2)	2	2	66	61
68	2-bed,2-bath	Type 15	2	2	68	61
69	1-bed	Type 12	1	1	45	50
70	1-bed	Type 11	1	1	44	50
71	1-bed	Type 10	1	1	44	50
72	2-bed,2-bath	Type 14 (2)	2	2	66	61
73	2-bed,2-bath	Type 15	2	2	68	61
74	1-bed	Type 12	1	1	45	50
75	1-bed	Type 11	1	1	44	50
76	1-bed	Type 10	1	1	44	50
77	2-bed,2-bath	Type 14 (2)	2	2	66	61

Summary

10	Manhattan
36	1-bed
1	2 bed 1 bath
30	2 bed 2 bath
77	

BLOCK B

No	Size	Type	No.of Beds	No of Baths	Area (sqm)	MHDS Min gross internal floor area (sqm)
1	1-bed	Type 14 (1)	1	1	47	50
2	Manhattan	Type 7	1	1	34	50
3	1-bed	Type 13	1	1	44	50
4	Manhattan	Type 6	1	1	35	50
5	1-bed	Type 10	1	1	44	50
6	2-bed,2-bath	Type 14 (2)	2	2	66	61
7	1-bed	Type 14 (1)	1	1	47	50
8	Manhattan	Type 7	1	1	34	50
9	1-bed	Type 13	1	1	44	50
10	Manhattan	Type 6	1	1	35	50
11	1-bed	Type 10	1	1	44	50
12	2-bed,2-bath	Type 14 (2)	2	2	66	61
13	1-bed	Type 14 (1)	1	1	47	50
14	Manhattan	Type 7	1	1	34	50
15	1-bed	Type 13	1	1	44	50
16	Manhattan	Type 6	1	1	35	50
17	1-bed	Type 10	1	1	44	50
18	2-bed,2-bath	Type 14 (2)	2	2	66	61
19	1-bed	Type 14 (1)	1	1	47	50
20	Manhattan	Type 7	1	1	34	50
21	1-bed	Type 13	1	1	44	50
22	Manhattan	Type 6	1	1	35	50
23	1-bed	Type 10	1	1	44	50
24	2-bed,2-bath	Type 14 (2)	2	2	66	61
25	2-bed,2-bath	Type 15	2	2	68	61
26	Manhattan	Type 5	1	1	35	50
27	Manhattan	Type 4	1	1	35	50
28	2-bed,2-bath	Type 16	2	2	65	61
29	2-bed,2-bath	Type 14 (2)	2	2	66	61
30	2-bed,2-bath	Type 15	2	2	68	61
31	Manhattan	Type 5	1	1	35	50
32	Manhattan	Type 4	1	1	35	50
33	2-bed,2-bath	Type 16	2	2	65	61
34	2-bed,2-bath	Type 14 (2)	2	2	66	61
35	2-bed,2-bath	Type 15	2	2	68	61
36	Manhattan	Type 5	1	1	35	50
37	Manhattan	Type 4	1	1	35	50
38	2-bed,2-bath	Type 16	2	2	65	61
39	2-bed,2-bath	Type 14 (2)	2	2	66	61
40	2-bed,2-bath	Type 15	2	2	68	61
41	Manhattan	Type 5	1	1	35	50
42	Manhattan	Type 4	1	1	35	50
43	2-bed,2-bath	Type 16	2	2	65	61

44	2-bed,2-bath	Type 14 (2)	2	2	66	61
45	2-bed,2-bath	Type 15	2	2	68	61
46	1-bed	Type 12	1	1	45	50
47	1-bed	Type 11	1	1	44	50
48	1-bed	Type 10	1	1	44	50
49	2-bed,2-bath	Type 14 (2)	2	2	66	61
50	2-bed,2-bath	Type 15	2	2	68	61
51	1-bed	Type 12	1	1	45	50
52	1-bed	Type 11	1	1	44	50
53	1-bed	Type 10	1	1	44	50
54	2-bed,2-bath	Type 14 (2)	2	2	66	61
55	2-bed,2-bath	Type 15	2	2	68	61
56	1-bed	Type 12	1	1	45	50
57	1-bed	Type 11	1	1	44	50
58	1-bed	Type 10	1	1	44	50
59	2-bed,2-bath	Type 14 (2)	2	2	66	61
60	2-bed,2-bath	Type 15	2	2	68	61
61	1-bed	Type 12	1	1	45	50
62	1-bed	Type 11	1	1	44	50
63	1-bed	Type 10	1	1	44	50
64	2-bed,2-bath	Type 14 (2)	2	2	66	61

Summary

16	Manhattan
24	1-bed
24	2 bed 2 bath
64	

BLOCK K

No	Size	Type	No.of Beds	No of Baths	Area (sqm)	MHDS Min gross internal floor area (sqm)
1	Manhattan	Type 2	1	1	36	50
2	Manhattan	Type 1	1	1	35	50
3	Manhattan	Type 1	1	1	35	50
4	1-bed	Type 6	1	1	43	50
5	2-bed,2-bath	Type 10	2	2	66	50
6	1-bed	Type 5	1	1	44	50
7	1-bed	Type 7	1	1	44	50
8	Manhattan	Type 3	1	1	35	50
9	2-bed,2-bath	Type 12	2	2	65	61
10	2-bed,2-bath	Type 11	2	2	65	61
11	Manhattan	Type 2	1	1	36	50
12	Manhattan	Type 1	1	1	35	50
13	Manhattan	Type 1	1	1	35	50
14	1-bed	Type 6	1	1	43	50
15	2-bed,2-bath	Type 10	2	2	66	61
16	1-bed	Type 5	1	1	44	50

17	1-bed	Type 7	1	1	44	50
18	Manhattan	Type 3	1	1	35	50
19	2-bed,2-bath	Type 12	2	2	65	61
20	2-bed,2-bath	Type 11	2	2	65	61
21	1-bed	Type 9	1	1	45	50
22	1-bed	Type 8	1	1	43	50
23	2-bed,2-bath	Type 13	2	2	62	61
24	2-bed,2-bath	Type 10	2	2	66	61
25	1-bed	Type 5	1	1	44	50
26	1-bed	Type 7	1	1	44	50
27	Manhattan	Type 3	1	1	35	50
28	2-bed,2-bath	Type 12	2	2	65	61
29	2-bed,2-bath	Type 11	2	2	65	61
30	1-bed	Type 9	1	1	45	50
31	1-bed	Type 8	1	1	43	50
32	2-bed,2-bath	Type 13	2	2	62	61
33	2-bed,2-bath	Type 10	2	2	66	61
34	1-bed	Type 5	1	1	44	50
35	1-bed	Type 7	1	1	44	50
36	Manhattan	Type 3	1	1	35	50
37	2-bed, 2-bath	Type 12	2	2	65	61
38	2-bed, 2-bath	Type 11	2	2	65	61
39	1-bed	Type 9	1	1	45	50
40	1-bed	Type 8	1	1	43	50
41	2-bed, 2-bath	Type 13	2	2	62	61
42	2-bed, 2-bath	Type 10	2	2	66	61
43	1-bed	Type 5	1	1	44	50
44	1-bed	Type 7	1	1	44	50
45	Manhattan	Type 3	1	1	35	50
46	2-bed, 2-bath	Type 12	2	2	65	61
47	2-bed, 2-bath	Type 11	2	2	65	61

Summary

11	Manhattan
18	1-bed
18	2 bed 2 bath
47	

The revised masterplan grants planning permission for 461 new homes for phases 1 to 6. Building L1 (71 dwellings) forms part of the revised masterplan permission and already benefits from detailed planning permission. This application when combined with the L1 consent would result in 259 new homes (71 + 188) benefiting from detailed planning permission within the revised masterplan site areas. This would fall within the scope of the revised masterplan permission, which allows for the provision of 461 new homes.

Policy H10 of the Medway Local Plan 2003 supports the delivery of a mix of dwellings including different types and sizes. The National Planning Policy Framework seeks that redevelopment applications should 'deliver a wide choice of

high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'.

The Gillingham Waterfront Planning Brief accepts that the site is most suitable for flatted development but states that large areas of the site should not be given over to 1 and 2 bedroom flats of identical plan form.

The Medway Housing Design Standards (MHDS) are a material consideration in the assessment of this proposal and seek to guide developers to produce residential units that will provide adequate amenity for occupiers throughout the lifetime of the development.

This proposal provides, with the development already delivered or approved to date on the wider Victory Pier site, a good mix of residential unit types which allows for a mixed residential community with student housing provision, elderly care accommodation, 'affordable housing' (rental and shared ownership) and private sale residential units of a variety of sizes, layout forms and positions within the site and development.

There is no policy objection to the principle of the development of the Victory Pier site as solely flatted residential development. However, the size, form and mix of units do need further consideration. It was considered as part of the hybrid application that it was important to ensure that at least 50% of the units on the site will be 2 bed or larger to ensure a unit size mix that complies with policy H10 of the Local Plan and supports the NPPF intention to create mixed communities. As such condition 42 was imposed on the permission, which states:
The details submitted pursuant to Condition 2 shall cumulatively result in a residential unit mix on the 'Victory Pier' site (this site in addition to development permitted under applications MC/10/2042 (Block F/G), MC2009/0698 (Block M) and MC/11/2848 (Block E)) of at least 50% residential units of 2 or more bedrooms.

> *Reason: To ensure a unit mix on the site to accord with policies H2 and H4 of the South East Plan 2009 and policy H10 of the Medway Local Plan 2003.*

Taking the previous phases (Buildings F, G, M, E and L1) and this application for Buildings A, B and K into account 42.93% of the site would be 2+ bed flats. The applicants have advised that the proposed housing mix for Buildings A, B and K reflect the current market demand and that the smaller dwellings, including the Manhattan apartments have been the subject of significant market interest, providing a good source of accommodation at the lower end of the affordability scale which helps first time buyers onto the property ladder. The housing mix is therefore tailored to meet local housing need. In addition the mix ensures that these phases can be delivered from a financial viability perspective. The applicant also sets out that condition 42 includes the affordable housing and that the affordable provision within Building M was specified by the Council and secured within the relevant s106 Agreements which included a greater proportion of 1-bed homes, compared to 2-bed homes which has affected the ratio of one-bed accommodation on the site.

The proposed mix and layout of uses in Building A, B and K comply with the Medway

Housing Design Standards when assessed through the 'Alternative Methodology' that requires the applicant to submit the layouts of each unit type plotting a schedule of furniture into the space (as detailed in the appendix of the MHDS) and showing adequate manoeuvrability space around the unit and storage space.

All the dwellings with the exception of the Manhattan apartments will achieve Lifetime Homes Standard.
The wider Victory Pier site has already delivered 103 affordable homes within Building M, including the provision of 43 shared ownership dwellings (22 x 1-bed and 21 x 2-bed) and 60 extra care dwellings (40 x 1-bed and 20 x 2-bed). 91 affordable homes remain to be provided. This application does not trigger the threshold set out in the s106 Agreement for providing the remaining affordable homes and as such all the new homes proposed as part of this application are for private sale.

On balance it is considered that the proposal complies with policy H10 of the Medway Local Plan 2003, the Gillingham Waterfront Planning Brief and the aspiration of the creation of a mixed community within the NPPF.

Amenity considerations

Planning policy requires that the amenities of neighbours around the site and those of future occupiers of the development are adequate in regard to suitable internal space, privacy, outlook, overshadowing impact, daylight, disturbance from noise and activity from the development, (including during construction phase), that air quality is acceptable, that residents are not exposed to hazardous uses in the area or contamination, wind tunneling is not of an unacceptable level, waste management is adequate and that personal safety and security measures are adequate. These matters are the subject of various national and Local Plan policies.

Policy BNE2 of the Local Plan requires that current and future occupiers of the proposed units and neighbours should be protected in part with regard to privacy, daylight and sunlight.

As discussed in the section above the proposed units in Buildings A, B and K are considered to provide an acceptable size and layout of units for future occupiers.

The blocks have been sited a minimum of 20m apart to ensure a high level of privacy for each unit and the scheme has been developed to take into account and maximize sunlight and daylight to each dwelling as well as to maximize river views where possible.

Each unit will benefit from private amenity space in the form of balconies or terrace, which broadly meet, and some exceed the sizes set out in the Housing Design Standards. In addition to this the residents will benefit from the use of the 2,878sqm of communal amenity space within the podium garden, which will also be available for the future residents of Buildings C and D. Residents also have access to a Wi Fi-lounge and gym.

The proposal is considered to comply with policy BNE2 of the Medway Local Plan 2003.

Commercial floorspace

Planning condition 15 of the revised masterplan seeks at least 1,627sqm of commercial floorspace within Block A, B, C, D, H, J and K. This application provides 964sqm (GIA) of commercial floorspace at ground floor level within Buildings A, B, C and D including ancillary refuse storage space and a crèche of 352sqm (GIA) within Building K, a total of 1,316sqm, resulting in the delivery of 80.1% of the commercial floor space and will provide a significant number of job opportunities.

To date on the wider Victory Pier site a number of commercial units have been built at the ground floor level of Block F/G and Block T. Whilst some of these units are occupied some have remained vacant since construction. These units have all been granted 'flexible' use classes of A1/A2/D1/D1 uses (Block T) and A1/A2/A3/A4/A5/D1/D2/B1(a) (Block F/G). This current application seeks approval for crèche accommodation (Class D1 use) within Building K and a range of flexible uses (Class A1/A2/A3/B1/D1/D2 uses) within Buildings A, B, C and D in a similar way to those in earlier phases. This flexibility is considered to be acceptable as it will maximize the likelihood of them being occupied at the earliest opportunity.

The units have been located along key pedestrian and vehicular routes to try and ensure they are attractive to prospective commercial operators. The crèche is situated fronting the green space and close to the children's play space to maximize the potential play opportunities for children using the crèche.

Planning condition 16 of the revised masterplan requires that the building design provided within each reserved matters application should demonstrate how provision for the conduction and extraction of cooking odors will be made available should the commercial units be occupied by a use involving the preparation and cooking of hot food for public consumption. The architects plans show details relating to this passive provision.

The provision of the commercial floorspace and the crèche therefore meet the terms of the revised masterplan permission.

Landscaping

Policy BNE6 of the Medway Local Plan requires that major development should include a structural landscaping scheme to enhance the character of the locality including retention of features as appropriate and incorporating features to support biodiversity.

Hard and soft landscaping details have been submitted relating to parts of Phases 3 and 4 as part of this scheme but those that relates to the central green and ancillary play space adjacent to Building K have been provided as part of application MC/14/0657.

The podium garden will provide some 2,878sqm of private communal amenity space for the residents of Buildings A, B, C and D and will comprise a mix of green space, terracing, pergolas and gazebos. This area has been designed to maximize views of

the estuary whilst providing functional and useable space for the residents. The garden has been divided into three main areas:

- A lawn surrounded by pleached trees and planting beds to give interest and a softening to the residential building above
- A secret garden between blocks A and C/D with informal seating in lush planting and a viewing platform out to the pier
- A deck terrace with protective timber screening, pergola with climbing plants and views towards the estuary

A linear water feature connects the grass lawn with the deck terrace and emphasises the linear view towards the estuary.
Full details of the landscaping are not available at this time with regard to the raised planters, detailed information on the layout and planting densities, landscape maintenance and management and lighting and it is therefore recommended that these aspects are dealt with by way of an appropriately worded condition.

Subject to these conditions the scheme is considered to be in accordance with policies BNE1 and BNE6 of the Medway Local Plan
Wind Microclimate

Planning condition 26 of the revised masterplan permission states that details of wind mitigation measures for the relevant phase or sub-phase subject of each reserved matters application should be provided.

In developing the landscaping design the applicants advised that careful consideration has been given to incorporating measures to address potential wind microclimate considerations particularly at ground floor level within the vicinity of Buildings A and B. This includes the planting of semi-mature trees, hedges, shrubs and grass planting which will help to soften any wind effects as well as a series of sheltered rooms formed by timber screens and pergolas which will provide protected viewing areas. The timber screens and pergolas are also proposed to be protected with hedge, perennial and grass planting.

An avenue of trees along the western boundary of Block A will provide a natural and softening buffer to the wind along the pier. Similarly upon the podium garden there will be a series of timber screens, pergolas and pleached trees. These measures are considered to be acceptable and in accordance with policy BNE2 of the Medway Local Plan 2003.

Air Quality

Planning Condition 21 of the revised masterplan permission requires the submission of an Air Quality Assessment in order to assess the levels of nitrogen dioxide experience by each proposed Building, and if necessary, the mitigation measures that would be required in order to ensure that no more then a moderate adverse air quality effect is experienced by future residents.

The report submitted with the application refers to an exceedance of the air quality objective for nitrogen dioxide at Block P. As this falls outside of this phase no action

is required. The report also identifies that during the construction phase dust is classified as presenting a 'High risk'. This aspect was dealt with as part of the revised masterplan through the submission of the Sustainability and Construction Statement which has also been re-submitted as part of this application as such no objections are raised with regards air quality issues under policy BNE24 of the Medway Local Plan 2003.

Parking

The principle of the development in highway and transport terms was established with the outline permission for the site and the revised master plan. The residential accommodation proposed in Phases 3 and 4, if approved, would not result in the overall number of dwellings exceeding the quantum of development previously considered and therefore no objection is raised in respect of the traffic impact of the development and the access arrangements from the public highway, which already exist.

The application proposes 250 spaces for the residential use. This is below the Council's Parking Standards, which indicate that the residential development should provide a minimum of 271 car parking spaces, comprising 224 spaces for residents and 47 visitor spaces. However, at the time of the last Census, average car ownership in the vicinity of the site was 0.91 per dwelling and a survey of parking demand within the existing residential areas of Victory Pier (buildings B, E and F) indicates that up to 88% of parking spaces are occupied at any one time. Census data includes all dwelling types, and therefore this reflects the general trend that apartments require fewer parking spaces than houses. On this basis, it is considered that a reduction to the Council's minimum parking standard is appropriate in this location and the proposed number of residential parking spaces, equating to a ratio of 1.3 per dwelling, is acceptable. The wider site has a Parking Management Strategy, which was secured as part of the outline planning permission and the revised masterplan. The strategy seeks to maximise the efficiency of the parking provision and eliminate indiscriminate parking within the development that would comprise the flow of traffic, pedestrian access and residential amenity. This is primarily achieved through the use of a permit system rather than allocating spaces to units, which means that spaces are not sterilised when occupiers do not use them on a regular basis. Visitors can park on the site for up to 30 minutes; longer stays require a visitor permit, which is made available to each private dwelling.

The application site includes 964 sqm of commercial floor space, for which a range of uses are proposed, and a crèche. The Council's Parking Standards indicate that up to 53 spaces could be provided, based on a worst-case scenario whereby all the space is used for A1 retail use. Whilst below this number, it is considered that the 18 commercial parking spaces proposed are acceptable. The site is well served by public transport along the A289, and it is likely that the commercial units will generate a high number of pedestrian trips from within the wider site. For those arriving by car, in addition to the 196 commercial parking spaces across the wider site, the Parking Management Strategy also permits commercial occupiers to share residential parking spaces during the day, when demand is lower. Visitors and deliveries to the commercial units and the crèche would be able to park for up to 30 minutes without requiring a permit. Cycle parking for both the commercial

development and the residential dwellings is provided in accordance with the Council's Standards.

Overall, it is considered that the application accords with the master plan for the site in respect of traffic impact and makes suitable provision for car parking, access and circulation. Accordingly, no objection is raised in respect of Policies T1, T2, T3 and T13 of the Local Plan.

Servicing, Delivery and waste

Deliveries to the commercial units would be made along the internal access road adjacent to the pier and along the riverside walkway, and a delivery bay is proposed between buildings C and D and H and J. The application includes vehicle tracking diagrams that demonstrate how service vehicles will be able to circulate through this part of the site.

Waste storage areas have been provided at ground floor level, including within the podium car park for Buildings A and B. On-site management arrangements will ensure that the waste of Buildings A and B will be taken to the delivery bay area on the day of collection. A waste storage area for building K is located adjacent to an internal access road and will be collected from the street. No objection is raised in relation to waste management.

Sustainability

Condition 33 of the hybrid application sets out the following:

> *The details submitted in pursuance of Condition 2 shall show that each phase or sub phase of the residential development is constructed in a way consistent with the Governments zero carbon buildings policy (such as Code for Sustainable Homes or subsequent policy) current at the time of submission of the details for that phase or sub-phase. All non-residential development shall show the details for that phase or sub-phase, under the Building Research Establishment Environmental Assessment Method (BREEAM) or any subsequent equivalent national standard.*
>
> *Reason: In the interests of sustainability and energy efficiency, in accordance with Policies BNE4 and CF11 of the Medway Local Plan 2003*

The application is seeking agreement for the construction of the whole residential element of the proposal to achieve at least Code for Sustainable Homes Level 3 and all non-domestic property would be built to achieve BREEAM ‘very good’. This is considered to be acceptable and in line with the current Government Standards. Accordingly, the development would be in accordance with Policies BNE4 and CF11 of the Medway Local Plan 2003 and National Planning Policy Framework guidance.

Ecology

Within the NPPF the three dimensions to sustainable development are economic, social and environmental. Policy BNE38 of the Medway Local Plan 2003 require that

development should seek to make provision for wildlife habitats as part of a network of wildlife corridors or stepping stones.

The application site lies close to habitats, which form part of the Medway Estuary and Marshes Site of Special Scientific Interest (SSSI). This SSSI is part of the Medway Estuary and Marshes Special Protection Area (SPA) and Ramsar Site. The applicant submitted a supporting study with the Hybrid application 'Assessment of Regulation 61(1) of the Conservation of Species and Habitats Regulations 2010 with regard to Medway Estuary and Marshes Special Protection Area (SPA)/RAMSAR which concluded that there is no evidence to suggest that the proposal would result in damage or degradation to these sensitive habitats.

The application site was formerly a Chemical Works and was in need of full decontamination and land raising so that no buildings or natural features have been retained on this site.

The proposed ecological mitigation and enhancement measures included in the hybrid submission were to locate works compounds away from sensitive areas; site clearance operations outside of bird breeding season; safe storage of materials and containment of fuel on the site; permanent 15m buffer along the northern boundary of the site to provide a buffer to the mudflats and its wildlife; low level street lighting and no direct lighting of bird/bat boxes; wildlife-friendly planting; landscaping using native species and including fruit trees, and bat and bird boxes being erected on new buildings with native species planting to provide opportunities for birds.

In the wider Victory Pier site there is an area of wildlife planting that has been agreed within the second phase of student accommodation (Blocks N and L2) adjacent to the eastern boundary of the site. There is also an 'ecological zone', on the rivers edge within Phase 1 of the development which is currently being determined under application MC/14/0657.

A 15m buffer strip from the river edge has been maintained between the main development and the river with the closest building to the mudflats being approx. 16.5m at the tip of the fin on the northern elevation of Block B. Clearly there will remain activity within this zone as it is a riverside walk but no buildings will be located in this area. Car movements on the site are also mostly kept well back from the river and the proposed Eco Habitat Zone and mudflats, with the exception of a small area of car parking serving Block E and has been agreed under a previous application at the far end of the Riverside walk.

With regard to native and fruit tree planting within the general streetscape, there are limitations in regard to their use as this is an urban streetscape needing trees of a specific shapes and sizes to create this relevant urban environment. The same principle applies along the riverside walk. There are also limitations on planting and structures on the riverside walk, as emergency and maintenance vehicles will access via this route.

In addition, opportunities to incorporate features into the design, which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes. This aspect has been addressed within Condition 13

of the hybrid application.

Overall, it is considered that the proposal would not significantly affect the RAMSAR and SSSI sites either alone or in combination with other plans or projects in the area and no objections are raised with regard to ecology policy BNE38 of the Medway Local Plan and key objectives for sustainable development in the NPPF

Building for Life

Condition 25 of the revised masterplan seeks that each phase complies with Building for Life principles. The report submitted with the application shows that all 12 aspects of the Building for Life criteria would achieve a green score, which is the highest level. The submitted Building For Life 12 Assessment is considered acceptable.

Secured by Design

Policy BNE8 of the Local Plan relates to Security and Personal Safety. It is essential that all sections of the community, especially those who may be vulnerable to crime should feel safe and secure. It is an integral part of the design process to achieve this and developments should seek to design out crime

Condition 35 of the revised masterplan seeks that each phase complies with Secured by Design principles. Kent Police have reviewed this information and have noted that some Secure by Design principles have been incorporated. The Police have encouraged the developer to consider the principles of British Parking Association Park Mark scheme, in regard to the underground, under croft and larger surface car parking areas and an informative to that effect is recommended on any approval. It is considered that the proposal is in accordance with policy BNE8 of the Medway Local Plan 2003.

Local Finance Considerations

None relevant to this application

Conclusions and Reasons for Approval

The application seeks planning permission for a mixed-use development of commercial space and 188 residential units. The principle of a mixed-use development on site has been agreed through Planning Brief adopted as a material consideration for the purposes of development management and through the previous planning permissions. The development of commercial floorspace would lead to employment on the site replacing those lost from the former, industrial use. The layout and scale of the development will allow for the creation of a sustainable development of high quality and will create a desirable place to live, work and visit to the benefit of current and future occupiers of the Victory Pier site and also for the benefit of the wider area. The proposal satisfies key sustainable objectives within the National Planning Policy Framework promoting the more efficient use of land, of reducing the need to travel and ensuring good access to services and improvement of the ecology of the site as part of redevelopment. The proposal is considered to

comply with the provisions of policies T1, T2, T13, BNE1, BNE2, BNE4, BNE6, BNE8, BNE24, BNE38, H5, H10, L11, CF13 of the Medway Local Plan 2003 and the Building Heights Policy 2006, The National Planning Policy Framework (NPPF) 2012, The Medway Housing Design Standards (interim) 2011, and The Gillingham Waterfront Planning Brief 2004.

This application would normally fall to be determined under delegated powers, but is being reported for Members consideration due to the scale of the application proposal and the fact that the Planning Committee have considered previous applications on this site.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here http://planning.medway.gov.uk/dconline/AcolNetCGI.gov